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Attorneys for Plaintiff and Counter-Defendant
AMERICAN GENERAL LIFE INSURANCE
COMPANY, *fka* THE OLD LINE LIFE
INSURANCE COMPANY OF AMERICA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AMERICAN GENERAL LIFE INSURANCE
COMPANY, *fka* THE OLD LINE LIFE
INSURANCE COMPANY OF AMERICA,

Plaintiff,

v.

JESSICA AMBER QUAM; DEBORAH A.
QUAM as SPECIAL ADMINISTRATOR OF
THE ESTATE OF RYAN QUAM; PATRICIA
SMITHSON; PAUL SMITHSON, SR.; and
DOES 1-50,

Defendants.

AND ALL ACTIONS

CASE NO. CV 07 00944 MHP

**STIPULATION AND ORDER FOR
ENTRY OF JUDGMENT**

STIPULATION AND ORDER FOR ENTRY OF JUDGMENT

USDC NDCA Case #CV 07 00944 MHP
286035.1

1 IT IS HEREBY STIPULATED, by and between Plaintiff and Counter-Defendant
 2 AMERICAN GENERAL LIFE INSURANCE COMPANY (hereinafter "AMERICAN
 3 GENERAL") *fka* THE OLD LINE LIFE INSURANCE COMPANY OF AMERICA, and
 4 Defendants DEBORAH QUAM as SPECIAL ADMINISTRATOR OF THE ESTATE OF RYAN
 5 QUAM; PAUL SMITHSON, SR., PATRICIA SMITHSON and Defendant and Counter-Claimant
 6 JESSICA QUAM, as follows:

7 1. That this Court may enter a stipulated judgment in interpleader in the form attached
 8 hereto as Exhibit A;

9 2. That, by reason of the death of Ryan Quam ("decedent"), on or about October 31,
 10 2006, the sum of Five Hundred Thousand Dollars (\$500,000.00) and the \$3,000 face value of the
 11 child protection provision ("Benefit Proceeds"), became payable pursuant to Life Insurance Policy
 12 No. MM0325026 ("the policy") issued to Ryan Quam, and accrued interest;

13 3. That defendant and counterclaimant Jessica Quam and defendant Deborah Quam as
 14 Special Administrator of The Estate of Ryan Quam each claim entitlement to some or all of the
 15 Benefit Proceeds, that Deborah and Mark Quam have alleged Jessica Quam's involvement in the
 16 death of decedent, that because of said allegations defendants Paul Smithson, Sr. and Patricia
 17 Smithson may have claims as contingent beneficiaries, and that to date, no other person or entity
 18 currently makes claim to American General for the Benefit Proceeds;

19 4. That American General was ready, willing, and able to deliver the Benefit Proceeds
 20 to the person(s) legally entitled thereto. However, by reason of the actual and potential competing
 21 claims to the Benefit Proceeds and the allegations of Deborah and Mark Quam, American General
 22 did not know and was unable to determine the person(s) legally entitled to them;

23 5. That concurrently with the filing of its complaint in interpleader, American General
 24 deposited with the Clerk of this Court the Benefit Proceeds, totaling Five Hundred Four Thousand
 25 Twenty-Seven Dollars and Seventy-Six Cents (\$504,027.76), which represents the insurance
 26 proceeds payable under the Policy, plus interest;

6. That having deposited the monies with the Clerk of the Court on or about February 14, 2007, American General, its predecessors, successors, affiliates, parent corporation, officers and agents are fully and forever released, discharged, and acquitted from any liability of any kind or nature whatsoever under the Policy or by reason of the death of the decedent as to any and all claims, charges, demands, or otherwise that exist now or may arise at any time in the future;

7. That American General, in consideration of this stipulated judgment, waives its fees and costs incurred in the action and will provide signed, sworn declarations from its employees who communicated with Deborah and/or Mark Quam as to the statements made to them by Deborah and/or Mark Quam;


8. That defendant Deborah Quam as Special Administrator of The Estate of Ryan Quam and individually, defendant Paul Smithson, Sr., defendant Patricia Smithson, and defendant and Counter-Claimant Jessica Quam are permanently enjoined from instituting or prosecuting any proceeding in any state or United States court against American General, its predecessors, successors, affiliates, parent corporation, officers and agents with respect to the proceed due under the Policy; and

9. That American General is dismissed from this action, including the counterclaim filed by defendant and counterclaimant Jessica Quam, with prejudice.

Date: August 17, 2007

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

By:


Adrienne C. Publicover
Dennis J. Rhodes

Attorneys for Plaintiff and Counter-Defendant
AMERICAN GENERAL LIFE INSURANCE
COMPANY, fka THE OLD LINE LIFE
INSURANCE COMPANY OF AMERICA

1 Date: 8/6, 2007

BADDELEY, OLIKER & SARTORI

2
3 By:

Robert P. Olikier

4 Robert P. Olikier, Esq.
5 Attorneys for Defendant/Counter-Claimant/Cross-
6 Claimant JESSICA AMBER QUAM and
7 Defendants PAUL SMITHSON, SR. and PATRICIA
8 SMITHSON

9 Date: _____, 2007

10 By:

11 James A. Boles, Esq.
12 Attorneys for Defendant/Cross-Defendant
13 DEBORAH A. QUAM as Special Administrator of
14 the Estate of Ryan Quam

15 ORDER

16 Dated: 8/23/2007



1 Date: _____, 2007

BADDELEY, OLIKER & SARTORI

2
3 By: _____

4 Robert P. Olikier, Esq.
5 Attorneys for Defendant/Counter-Claimant/Cross-
6 Claimant JESSICA AMBER QUAM and
7 Defendants PAUL SMITHSON, SR. and PATRICIA
8 SMITHSON

9 Date: AUGUST 14, 2007

10
11 By: _____

12 James A. Boles, Esq.
13 Attorneys for Defendant/Cross-Defendant
14 DEBORAH A. QUAM as Special Administrator of
15 the Estate of Ryan Quam

16 ORDER

17 Dated: _____

18 _____
19 Honorable Marilyn H. Patel
20 United States District Judge
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CERTIFICATE OF SERVICE

I am over the age of eighteen years and am not a party to the within cause. I am employed in the City and County of San Francisco, California and my business address are 525 Market Street, 17th Floor, and San Francisco, California 94105-2725.

On this date I served the following document(s):

STIPULATION AND ORDER FOR ENTRY OF JUDGMENT

on the part(y)(ies) identified below, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below by the following means of service:

→ : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection to the office of the addressee following ordinary business practices.

 : **By Personal Service** -- I caused each such envelope to be given to a courier messenger who personally delivered each such envelope to the office of the address.

 : **By Overnight Courier** -- I caused each such envelope to be given to an overnight mail service at San Francisco, California, to be hand delivered to the addressee on the next business day.

 : **Facsimile** -- (Only where permitted. Must consult CCP §1012.5 and California Rules of Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in N.D.CA.)

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Petaluma, CA 94952
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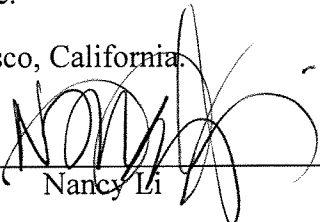
James A. Boles, Esq.
423 Mill Street
Reno, NV 89502
Tel: (775) 329-1544
Fax: (775) 329-1566

*Attorney for Defendant/
Counter-Claimant/Cross-Claimant
JESSICA AMBER QUAM and
Defendants PATRICIA SMITHSON; PAUL
SMITHSON, SR.*

*Attorney for Defendant/Cross-Defendant
DEBORAH A. QUAM as SPECIAL
ADMINISTRATOR OF THE ESTATE OF
RYAN QUAM*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED on **August 17, 2007**, at San Francisco, California.



Nancy Li